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CLERKS OFFICE  
UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

2006 JAN -3 P 12:32  
2006 JAN -3 P 12:31

Michael Caputo, Petitioner

V.

Kenneth Nelson, Respondent

CIVIL ACTION NO. 04-cv-10732JLT

NOTICE OF APPEAL

Notice is hereby given that Michael Caputo, Petitioner in the above named case hereby appeals to the United States Court of Appeals for the 1<sup>st</sup> Circuit from the final judgement entered in this action on the 5<sup>th</sup> day of December.

John J. Courtney BBO#102460  
Attorney for Michael Caputo

  
90 Salem Street  
Malden, MA 02148  
781-321-5700

CERTIFICATE OF SERVICE

I hereby certify that a true copy of the above document was served upon Assistant Attorney General Maura D. McLaughlin, the attorney of record for the respondent, by first class mail, postage prepaid on